

KEVIN V. RYAN (CSBN 118321)  
United States Attorney

MARK L. KROTOSKI (CSBN 138549)  
Chief, Criminal Division

JULIE A. ARBUCKLE (CSBN 193425)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-7102  
Facsimile: (415) 436-7234

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
GONZALO LOPEZ-HERNANDEZ,  
  
Defendant.

CR No.: 06-0645 WHA

STIPULATION AND ~~PROPOSED~~  
ORDER EXCLUDING TIME

On November 14, 2006, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from November 14, 2006 to December 12, 2006 for effective preparation of counsel, in that defense counsel required adequate time to obtain and review information relevant to the pretrial motion that Defendant Gonzalo Lopez-Hernandez intends to file in this case, to consult with an expert regarding such motion, and to prepare such motion. The parties represented that granting the continuance was the reasonable time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that

the ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

KEVIN V. RYAN  
United States Attorney

DATED: November 15, 2006

/S/ Julie A. Arbuckle  
JULIE A. ARBUCKLE  
Assistant United States Attorney

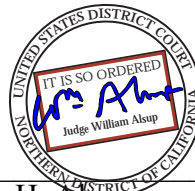
DATED: November 15, 2006

/S/ Elizabeth Falk  
ELIZABETH FALK  
Attorney for Defendant Gonzalo  
Lopez-Hernandez

As the Court found on November 14, 2006, and for the reasons stated above, the Court finds that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial and that time should be excluded from the Speedy Trial Act calculations from November 14, 2006 to December 12, 2006 for effective preparation of defense counsel. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: November 20, 2006



William H. Alsup  
United States District Judge